

Delta Protection Advisory Committee (DPAC)

Charter

Approved _____

I. Official Designation

Delta Protection Advisory Committee pursuant to Section 29753 of the Public Resources Code.

II. Scope and Objectives

The purpose of the Delta Protection Advisory Committee (DPAC) is to provide a formal mechanism for the Delta Protection Commission (DPC) to obtain policy recommendations from stakeholders with particular expertise, interests or backgrounds regarding the diverse interests of the Delta.

III. Description of Duties

Delta Protection Advisory Committee shall seek citizen and government staff input to provide advice that is well reasoned, credible and/or appropriately represents opinions held by the broader community or relevant segments of the broader community.

Delta Protection Advisory Committee will work as a unit to express to the Delta Protection Commission its recommendation(s) on policies and/or issues related to the purpose under which the Delta Protection Commission was formed.

Given the broad scope and number of potential policy issues, the Delta Protection Advisory Committee may, as deemed necessary and in consultation with the Executive Director of the DPC, convene working groups, task forces, or subgroups to support DPAC functions. Such groups will report directly to the DPAC. All subgroups are to provide a forum, by which members of the public, whether or not they are appointed as members, may provide public comment on issues as they arise.

DPAC will provide recommendations to the DPC relating to the following:

- A. Developing recommendations on the Primary Zone Expansion Study;
- B. Developing recommendations on the Economic Sustainability Plan;
- C. Coordinating DPC activities and provide recommendations concerning dredging requirements, levee issues, abandoned vessels and other nuisances;

- D. Monitoring, developing recommendations for the DPC and reporting on the Bay Delta Conservation Plan, Delta Stewardship Council and the Sacramento-San Joaquin Delta Conservancy Board;
- E. Monitoring, developing recommendations for the DPC and reporting on federal processes as they relate to the Delta;
- F. Facilitating educational and outreach activities to increase awareness of Delta issues;
- G. Coordinating DPC activities as they relate to hospitality, recreation, boating, tourism and the Delta Trails Planning Process;
- H. Developing recommendations on energy in the Delta including wind, bio mass, carbon sequestration, etc;
- I. Coordinating, monitoring and reporting activities and providing recommendations as they relate to hatchery, habitat, water quality, sea level rise, invasive species, water supply, flood management, environmental issues, State Water Plan and the Central Valley Regional Water Quality Control Board's Delta Mercury Control Program;
- J. Determining economic drivers, both current and future, as well as nurturing economic clusters (agriculture, production processing, packaging, distribution networks, hospitality and tourism, water based recreation, energy production storage and transmission, and unique cultures);
- K. Providing recommendations and direction on the Gateway study to help agritourism and ecotourism through joint marketing, transportation, parking issues and public outreach;
- L. Developing recommendations on transportation issues including rail, highways, waterways and parking;
- M. Coordinating DPC activities as they relate to economic and public safety issues;
- N. Monitoring and reporting on legislation or regulations at the local, state and federal levels;
- O. Coordinating DPC activities as they relate to State Water Resources Control Board's flow measurement study, Central Valley Flood Management Planning, ground water and in-Delta water storage issues;
- P. Developing recommendations on the Delta National Heritage Area;
- Q. Coordinating DPC activities as they relate to the Delta Multi-Hazard Coordination Task Force creation of an Emergency Response Strategy pursuant to SB 27;
- R. Developing recommendations on salinity intrusion and land use issues while preserving the function of the current system;
- S. Providing recommendations on the DPC's budget;
- T. Inventorying and cataloging the Delta service industries;
- U. Providing recommendations as they relate to mosquito abatement;
- V. Coordinating DPC activities as they relate to the Yolo By-pass;
- W. Monitoring and reporting on the Delta Independent Science Board;

- X. Monitoring and reporting on the State Water Resources Control Board's requirement to establish an effective system of Delta watershed diversion data collection and public reporting by December 31, 2010.

Delta Protection Advisory Committee Members are encouraged to provide advice, suggestions and recommendations to the Delta Protection Commission on legislative and policy issues through established procedures. Given the volume of information received by the DPC, it is important that DPAC use these procedures to ensure that the DPC receives information in an organized format and manner. It is the DPC staff's responsibility to prepare DPC agenda items conveying DPAC recommendations to the DPC.

DPC staff is expected to give updates and make recommendations to the DPAC and DPC that reflect existing policies and positions, DPC staff are directed to respect and foster the ability of citizens who serve on the DPAC to fairly and effectively convey their independent recommendations to the DPC.

When a recommendation is presented at a DPC meeting, designees of the DPAC (less than a quorum), should attend the DPC meeting to explain or represent their recommendation and answer questions from Delta Protection Commissioners.

DPAC recommendations on proposed or pending state or federal legislation shall be made, whenever possible, as part of the "Legislation of Importance to the Delta" update that the DPC receives during its meetings. This is to be coordinated through the DPC Executive Director and the Delta Protection Commission's Legislative Committee.

DPAC, unless otherwise directed, shall make available to members of the Delta Protection Commission all agendas, minutes and reports.

IV. Duration

The DPAC has no sunset provisions and is expected to operate indefinitely. However, the DPAC's continuance is subject to review and renewal of this Charter every two (2) years on the biennial anniversary of the adoption of this Charter.

V. Agency Official to Whom the DPAC Reports

The DPAC reports to the Delta Protection Commission through the DPC's Executive Director.

VI. Agency Responsibilities for Providing Necessary Support

All staff and support functions required for operation of the DPAC will be supplied by the DPC as determined by the Chair of the DPC.

VII. Estimated Annual Operating Costs

Currently the support for the operation of the DPAC will rely on existing staff and resources, until such time as the State may allocate funds necessary for the operation of the DPAC.

VIII. Allowances for Committee Members

Members of the DPAC and its sub-committees will serve without pay. However, while away from their homes or regular places of business in the performance of services of the DPAC, members, to the extent funding is available, may be allowed travel expenses, including per diem in lieu of subsistence.

IX. Committee Membership

DPAC will consist of no more than 25 voting members. Members of the DPAC will be knowledgeable in and represent one or more, but not be limited to, the following groups and organizations:

- U.S. Department of Agriculture, - U.S.D.A. Natural Resources Conservation Service, U.S.D.A. Rural Development;
- U.S. Housing and Urban Development;
- U.S. Department of Commerce - U.S. Economic Development Administration (EDA), National Oceanic and Atmospheric Administration (NOAA);
- U.S. Army Corps of Engineers, South Pacific Division, Sacramento District;
- US Department of Homeland Security – Federal Emergency Management Agency (FEMA), U.S. Coast Guard (USCG)
- U.S. Department of the Interior - U.S. Bureau of Reclamation, U.S. Fish and Wildlife Service, National Park Service, U.S. Geological Survey (USGS);
- U.S. Department of Transportation - Federal Highway Administration (FHWA), Maritime Administration (MARAD), Pipeline and Hazardous Materials Safety Administration (PHMSA);
- U.S. Environmental Protection Agency (USEPA) – Region 9
- Delegate from Delta Tribal Organizations;
- CA Department of Food and Agriculture;
- Governor's Office of Economic Development;
- CA Office of Homeland Security;
- CA Department of Water Resources;

- CA Department of Boating and Waterways;
- CA Natural Resources Agency;
- CA Department of Housing and Community Development;
- CA State Water Board;
- CA Travel & Tourism Commission (CTTC);
- CA Department of Transportation;
- Delegate from the Delta Stewardship Council;
- Delegate from the Bay Delta Conservation Plan;
- Delegate from the Sacramento-San Joaquin Delta Conservancy Board;
- Delegate of San Joaquin Partnership;
- Delegate of Delta Reclamation Districts;
- Delegates of County Agricultural Commissioners / Farm Bureaus;
- California Central Valley Flood Control Association;
- Delegates of Environmental NGOs;
- Delegates of in-Delta Water Districts;
- Delegates of State, local and utility infrastructure interests;
- Technical Advisory Committees appointed by local governments;
- Delegates of Delta region Economic Development Corporations / Agencies;
- Public Member;
- Delta farmer / rancher;
- Biologists;
- Representative of recreational boaters;
- Ex officio: Representative for the CA State Assembly;
- Ex officio: Representative for the CA State Senate;
- Ex officio: Representative for Delta members of U.S. House of Representatives;
- Ex officio: Representative for our U.S. Senators.

No member may serve on the DPAC for more than two (2) consecutive terms. Members will serve for terms of three (3) years. However, delegates representing federal, state or local government entities will remain indefinitely. Provisions for staggering appointments to the DPAC shall be determined by the DPAC in consultation with the Executive Director and Chair of the DPC.

The Chair of the DPC or designee reserves the right to replace any member who is unable to fully participate in the DPAC or who misses three (3) consecutive, regularly scheduled meetings of the DPAC.

The Chair of the DPAC will be chosen by a majority vote of the advisory committee members, with the authorization from the Chair of the DPC or designee.

X. Estimated Number and Frequency of Meetings

The DPAC will meet at the call of the Committee Chairperson with the approval of the DPC's Executive Director. Meetings may be held less or more frequently as required by the workload of the DPAC, but in no case less than once per year.

XI. Ethical Responsibilities of Members

No committee or subcommittee member shall participate in any specific matter including a lease, license, permit, contract, claim, agreement or related litigation with the DPC or any local or state agency in which the member has a direct financial interest.

XII. Bagley-Keene Open Meeting Act.

As a state agency, the DPAC, Working Groups, Task Forces, and Sub-Groups are governed by the Bagley-Keene Open Meeting Act which requires that (1) an agenda be posted at least ten days in advance of any meeting; (2) describe specifically in that agenda the items to be transacted or discussed; and (3) refuse to add an item subsequent to the published agenda. In addition to these general requirements, the Bagley-Keene Act includes other specific provisions about how meetings are to be announced and conducted.

[Download the Bagley-Keene Open Meeting Act \[pdf\]](#)